

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BUXTBAUM,	:	
Plaintiff,	:	
	:	25-CV-527 (JPC) (OTW)
-against-	:	
ERIC GOLDSMITH,	:	<u>ORDER</u>
Defendant.	:	

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF Nos. 23, 24, 25, and 26.

Plaintiff's submissions at ECF Nos. 23, 25, and 26 raise the same issues as ECF 13. On May 2, 2025, the Court stayed briefing on Plaintiff's purported motion for summary judgment at ECF 13, pending resolution of Defendant's motion to dismiss. (ECF 22). Plaintiff's letter at ECF 24, which requests that the amended complaint filed on April 28, 2025 (ECF 16) be deemed the operative complaint in this action is also duplicative of ECF 18. (*Compare ECF 24 with ECF 18*). The Court has already granted Plaintiff's request. (ECF 22). Accordingly, the request at ECF 24 is **MOOT**.

As discussed above, ECF Nos. 23, 24, 25, and 26 are refiled requests that the Court already addressed in the May 2 Order. (*See ECF 22*). **Plaintiff is directed not to file any more duplicative requests. Plaintiff is warned that, in future, the Court may strike duplicative requests.**

Plaintiff is directed to inform the Court by **Tuesday, June 10, 2025**, whether he wishes to withdraw the motion at ECF 23. If Plaintiff does not file anything by Tuesday, June 10, 2025, the Court may recommend that ECF 23 be denied as premature and duplicative of ECF 13.

The Clerk of Court is respectfully directed to serve a copy of this order and a copy of the Docket on *pro se* Plaintiff.

SO ORDERED.

Dated: May 9, 2025
New York, New York

/s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge